



Indiana Department of Environmental Management

*Protecting Hoosiers and Our Environment Since 1986*



# **IDEM Update**

## **Indiana Environmental Conference**

### **Indiana Chamber of Commerce**

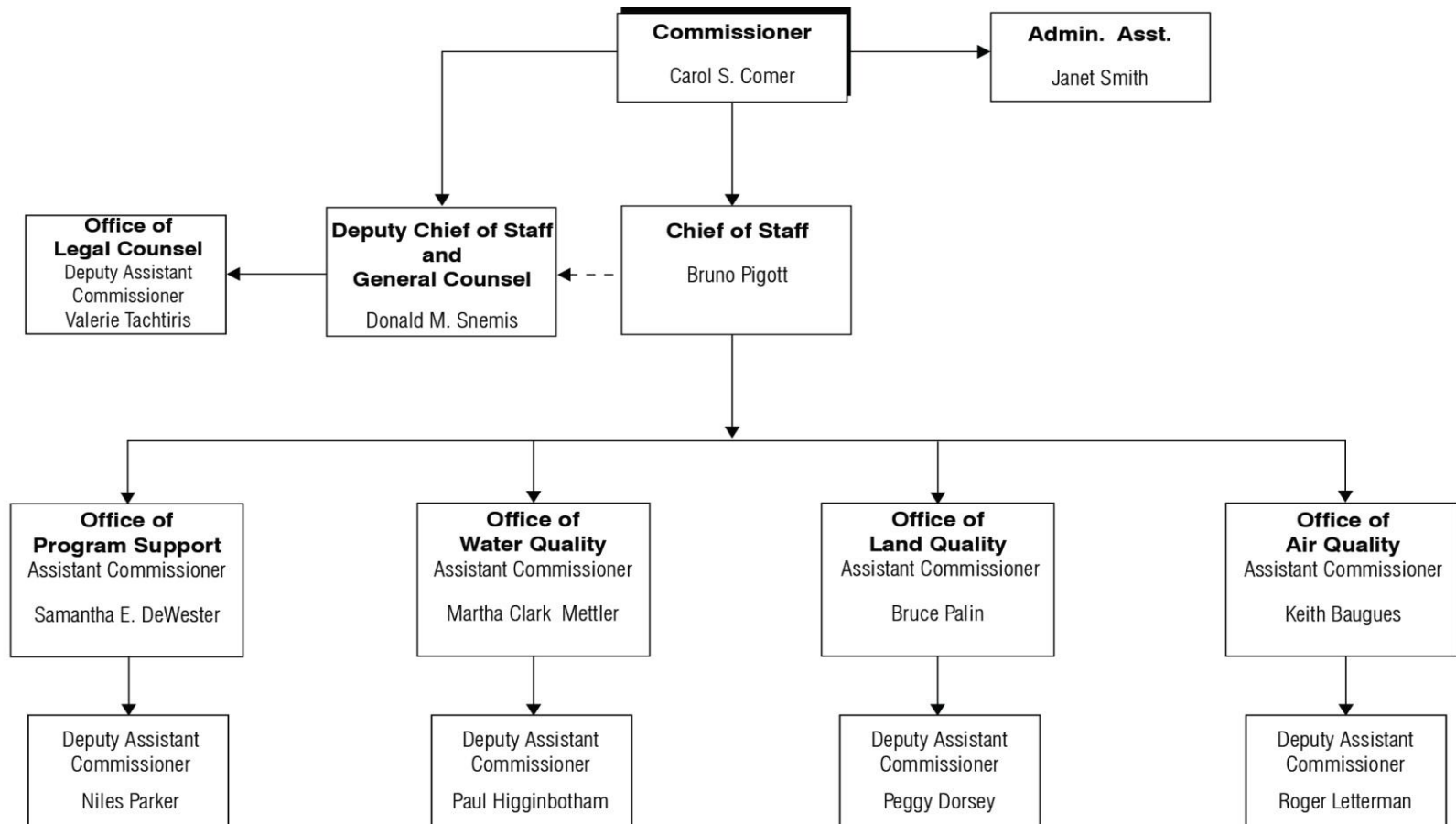
**October 28, 2015**

**Carol S. Comer, Commissioner**

**Indiana Department of Environmental Management**



## Leadership Team





# Protecting Hoosiers and Our Environment While Becoming the Most Customer- Friendly Environmental Agency

IDEM's mission is to implement federal and state regulations to protect human health and the environment while allowing the environmentally sound operations of industrial, agricultural, commercial and government activities vital to a prosperous economy.

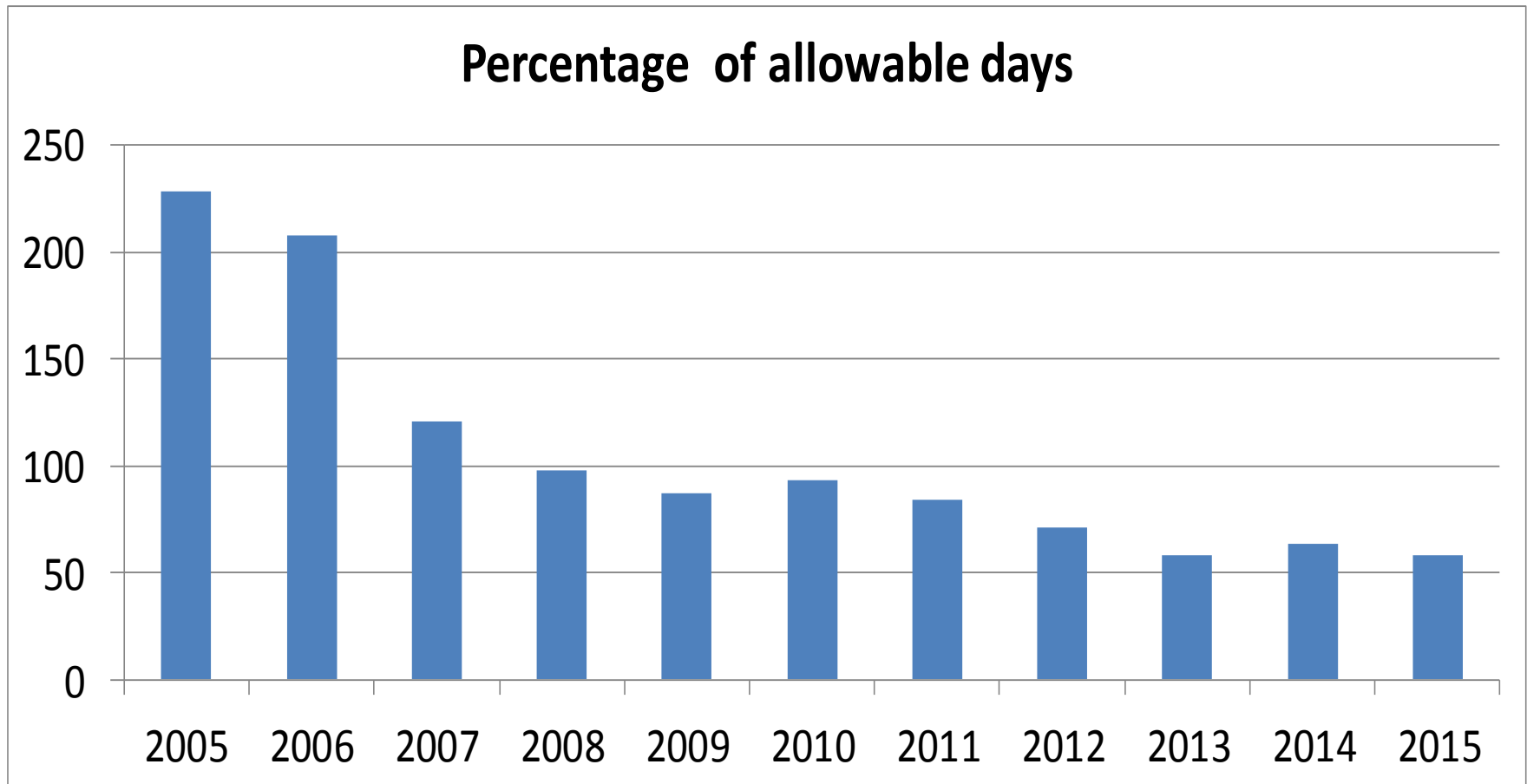


# How Does IDEM Protect Hoosiers and Our Environment?

- Developing regulations and issuing permits to restrict discharges to environmentally safe levels.
- Inspecting and monitoring permitted facilities to ensure compliance with the permits.
- Using compliance assistance and/or enforcement when people exceed their permit levels or violate regulations.
- Educating people on their environmental responsibilities.
- Cleaning up contaminated sites to eliminate public exposure to toxics and returning properties to productive use.



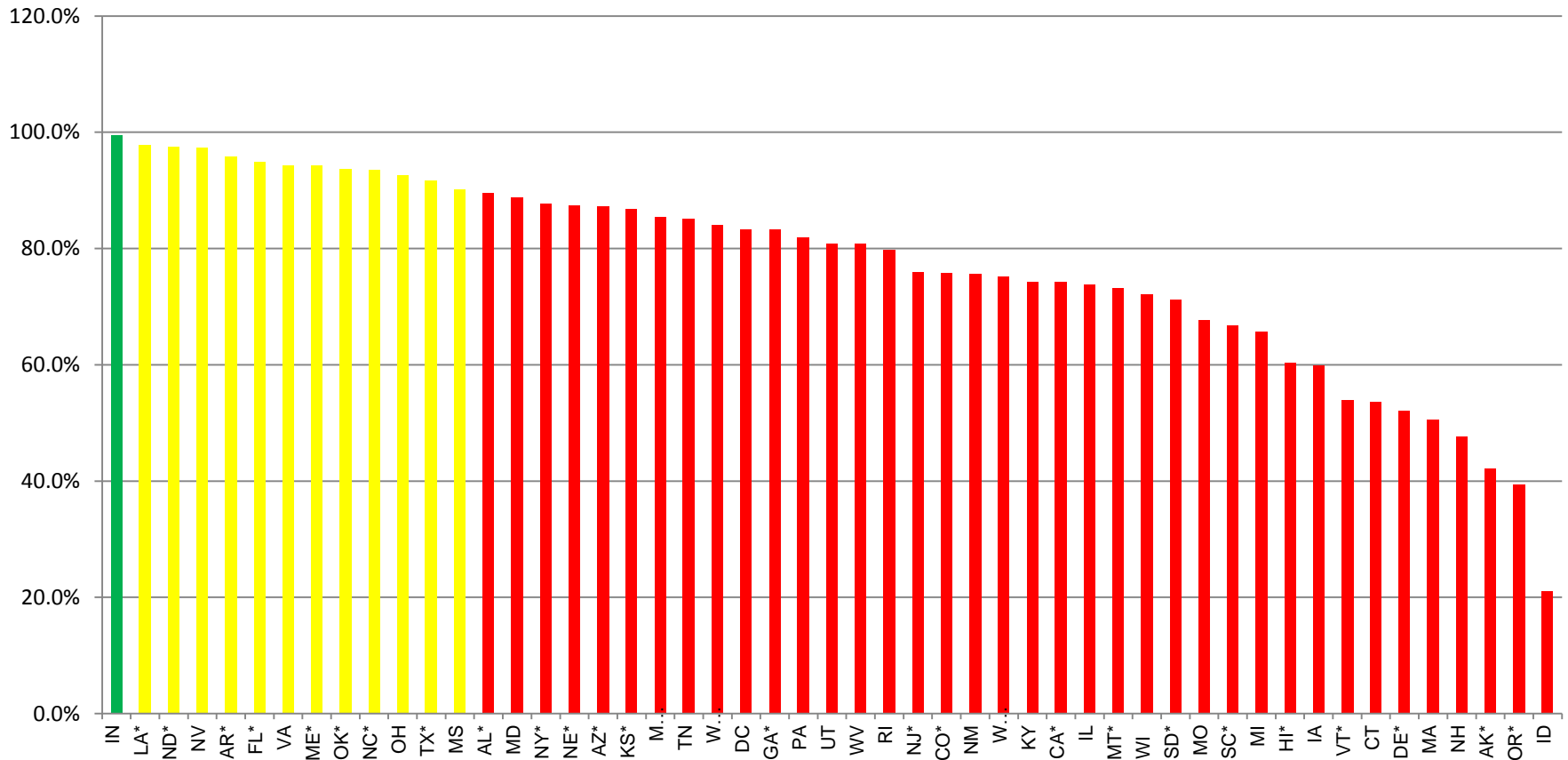
# Permits--Percent of Statutory Days





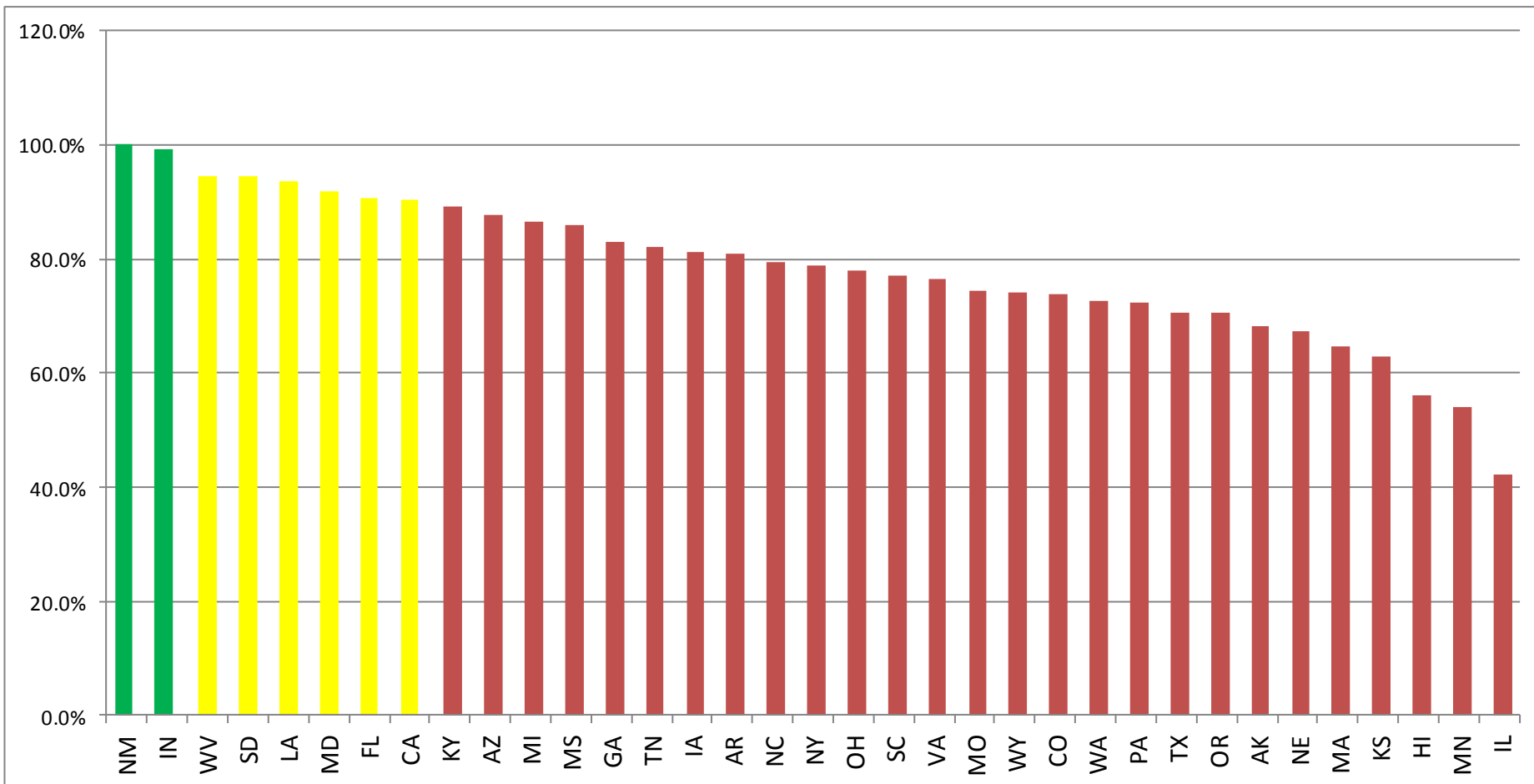
# Indiana is Best in NPDES Permitting

## Total % Current Wastewater Permits





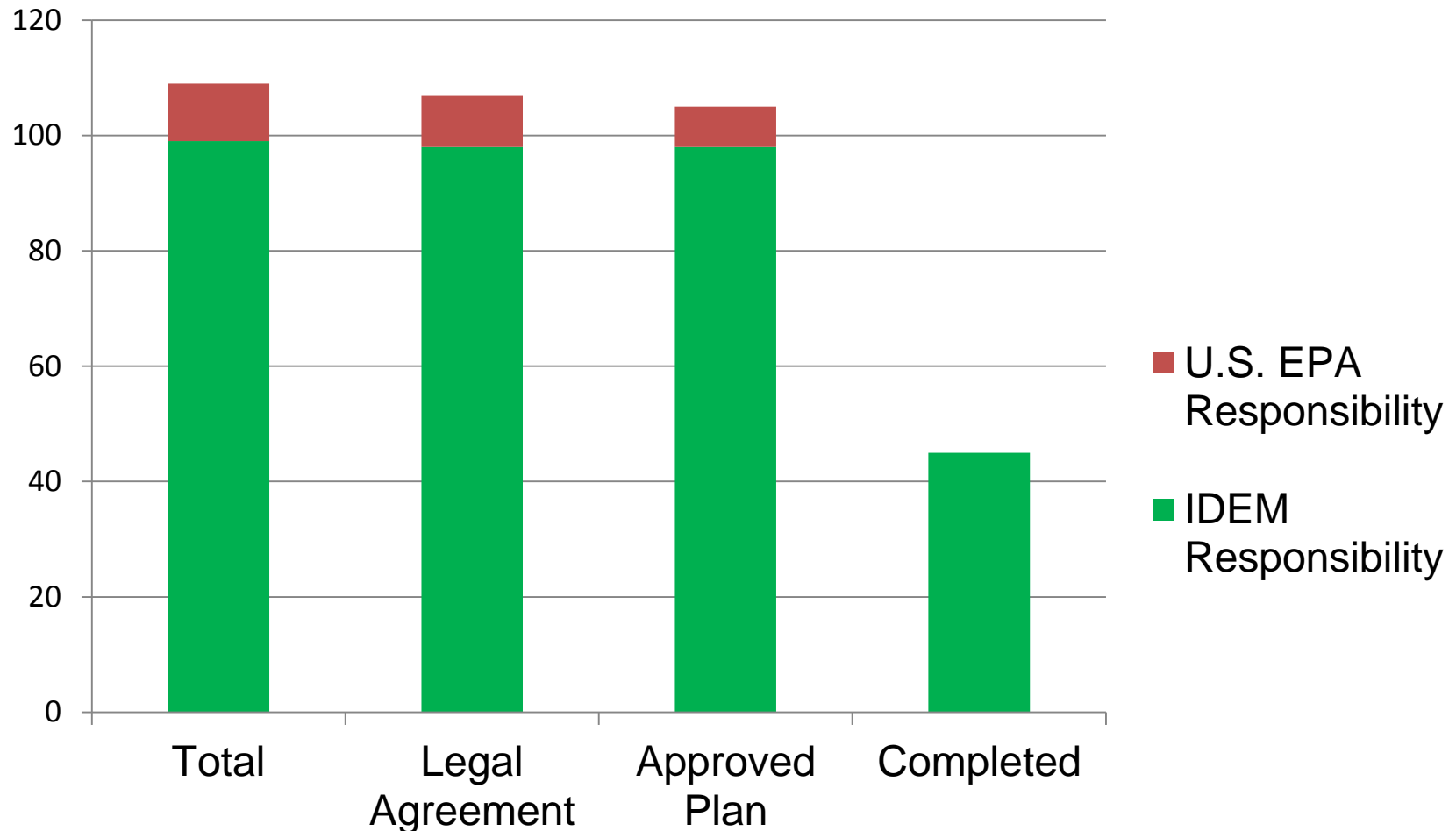
# Title V Permitting (March 2015)





# Water Quality

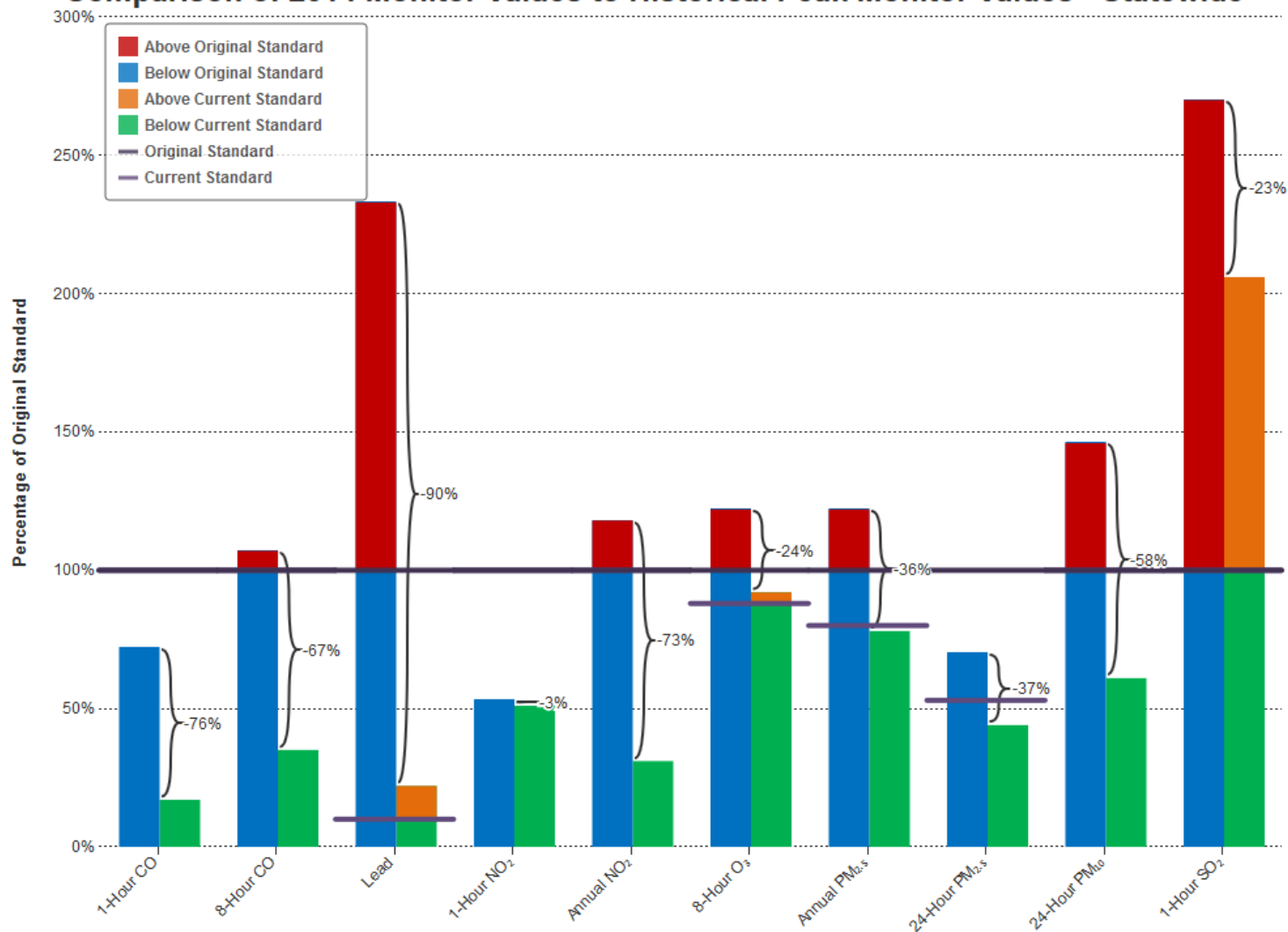
## Indiana Combined Sewer Overflow Status







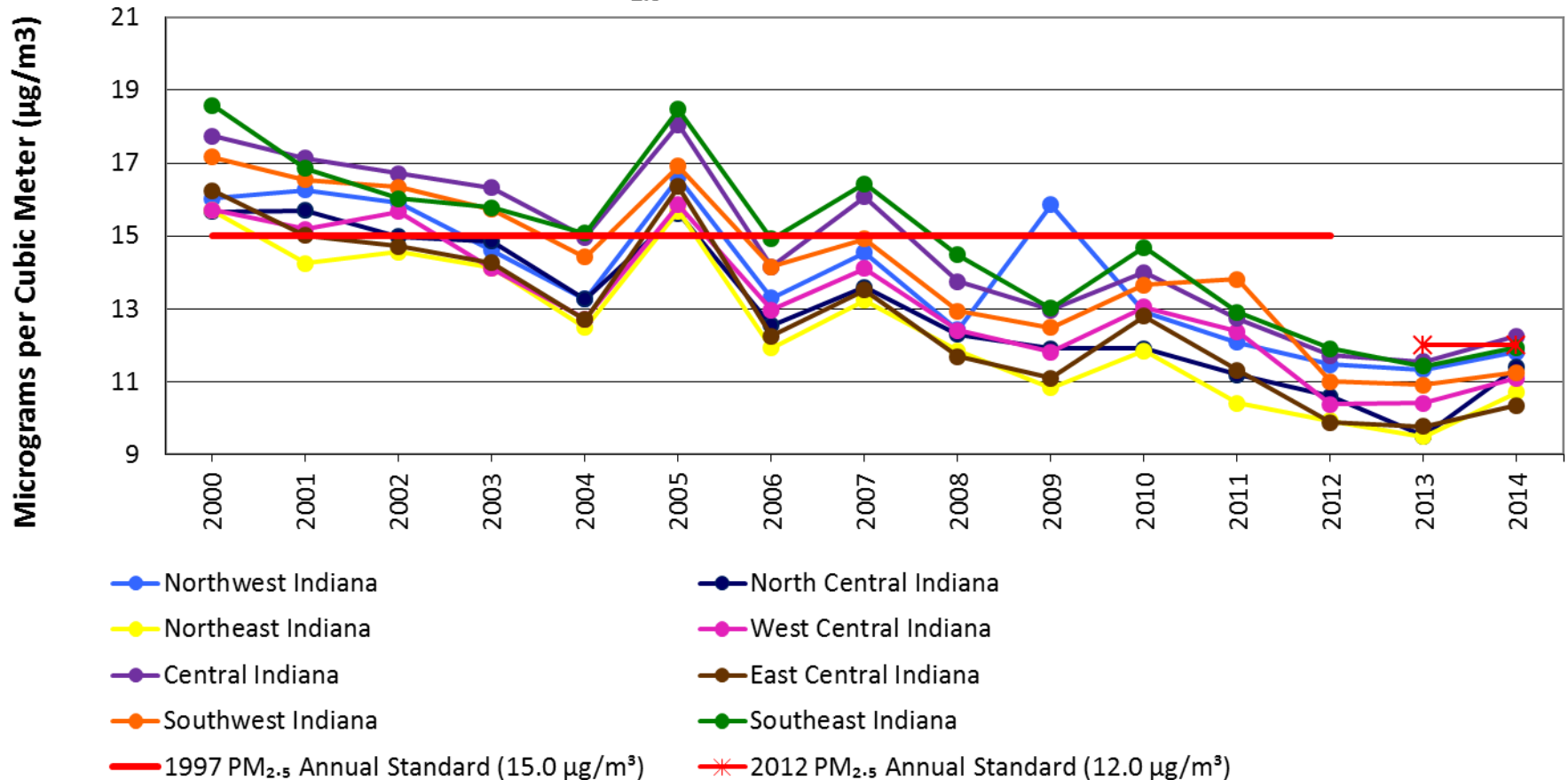
## Comparison of 2014 Monitor Values to Historical Peak Monitor Values - Statewide





# Particulate Matter

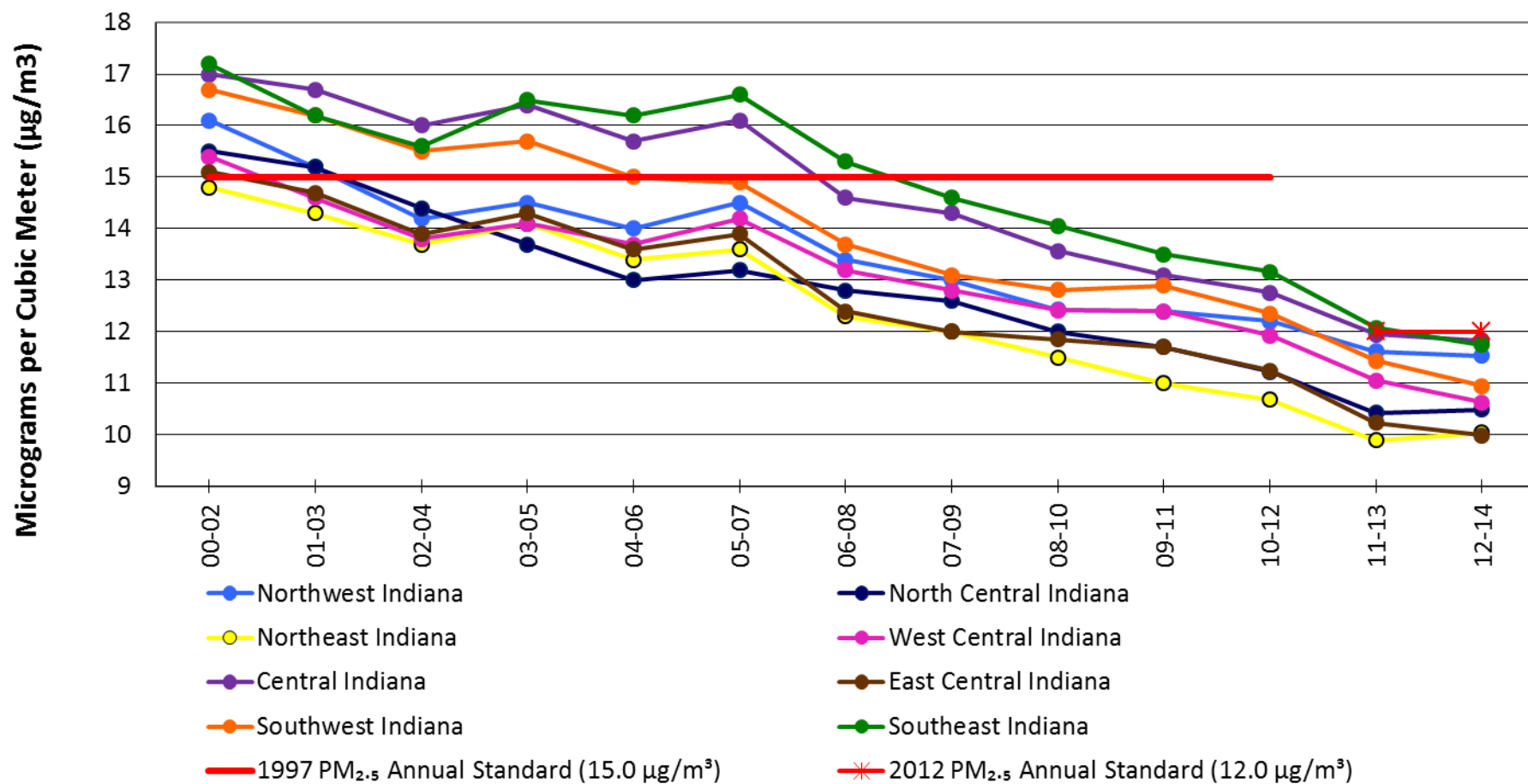
Regional PM<sub>2.5</sub> Annual Summary Trend Chart





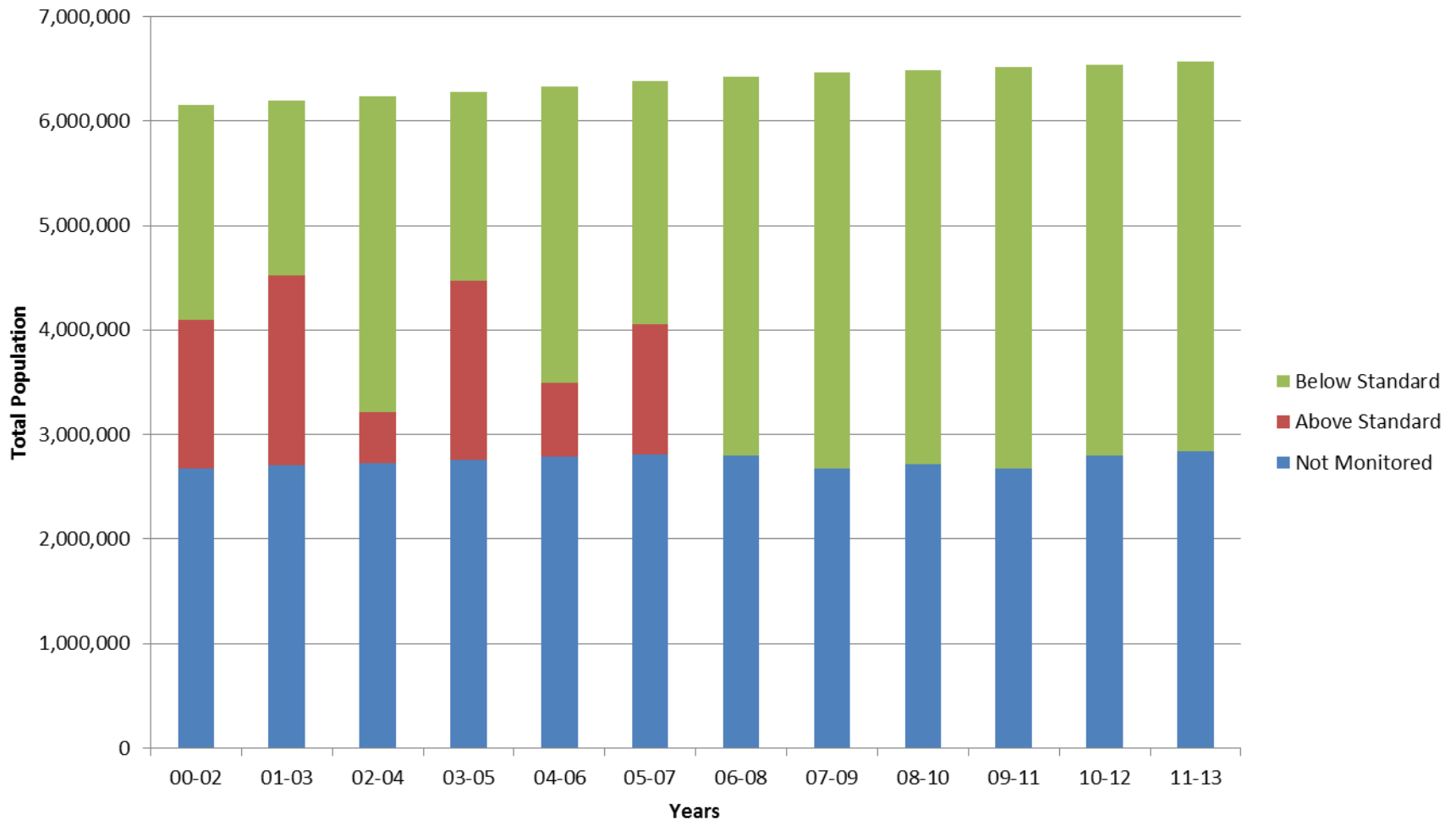
# Particulate Matter

Regional PM<sub>2.5</sub> Annual Design Values Trend Chart



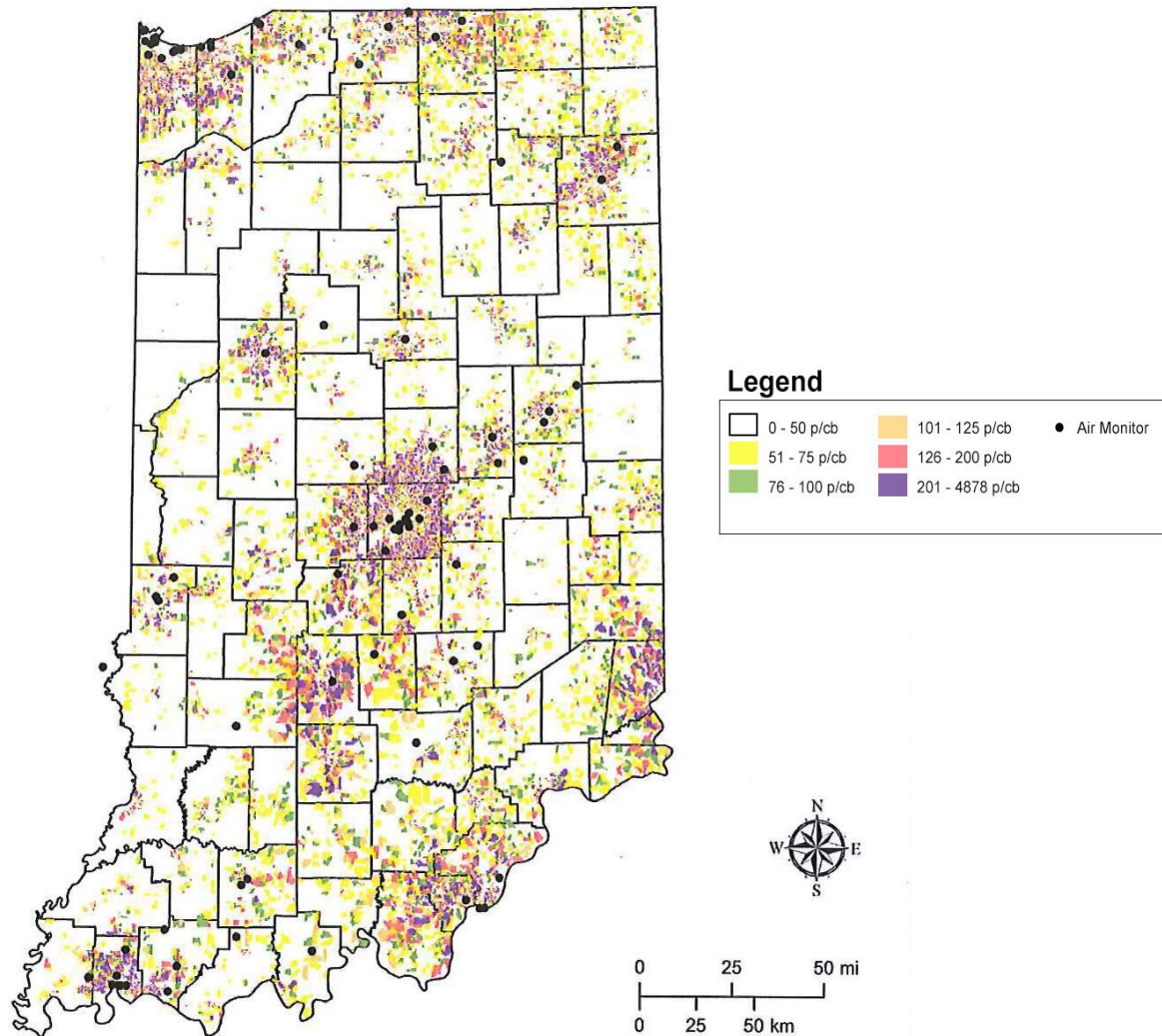


## People Breathing Various Air Quality Levels - 24 Hour PM-2.5 - Indiana



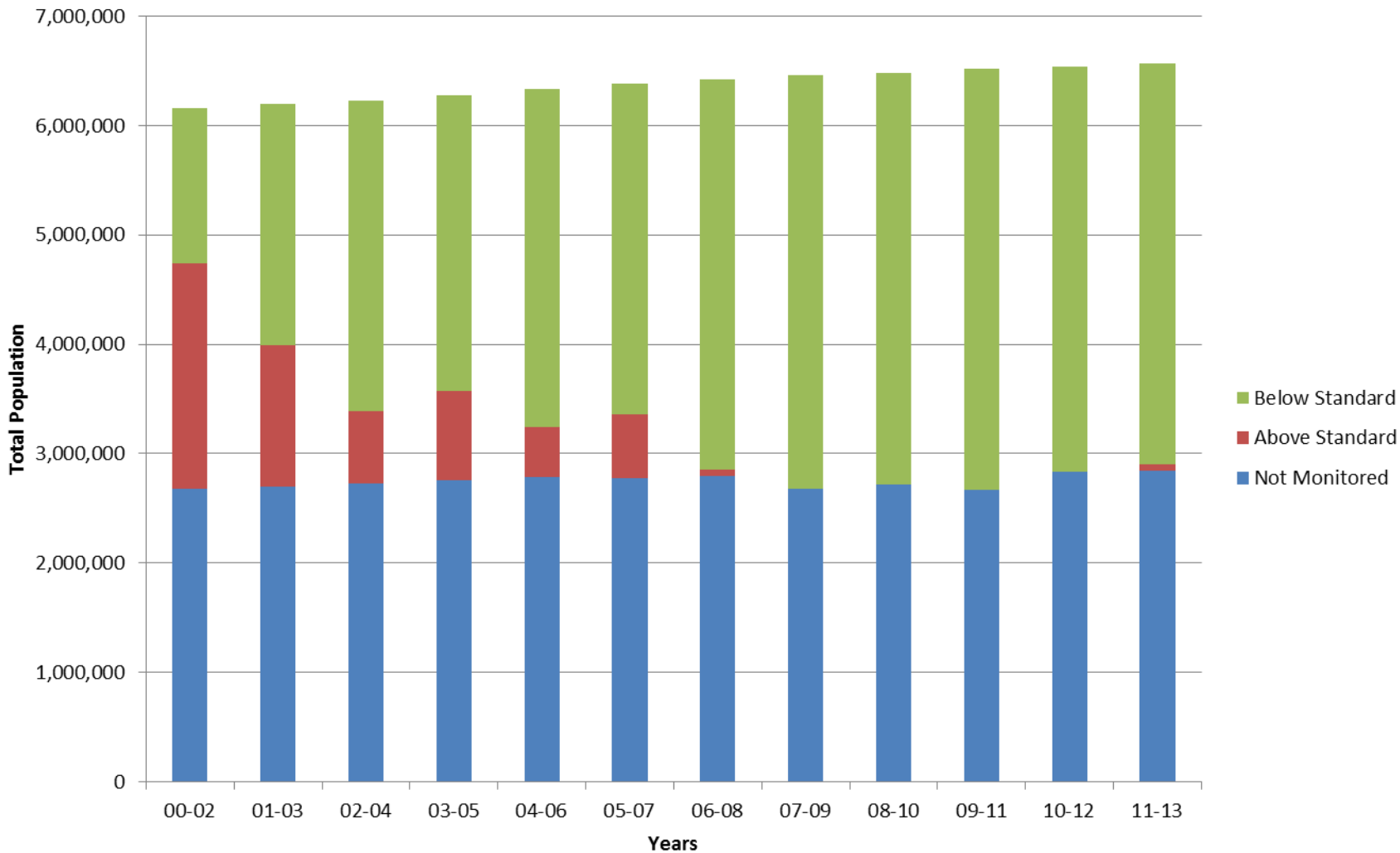


## State Monitoring Network





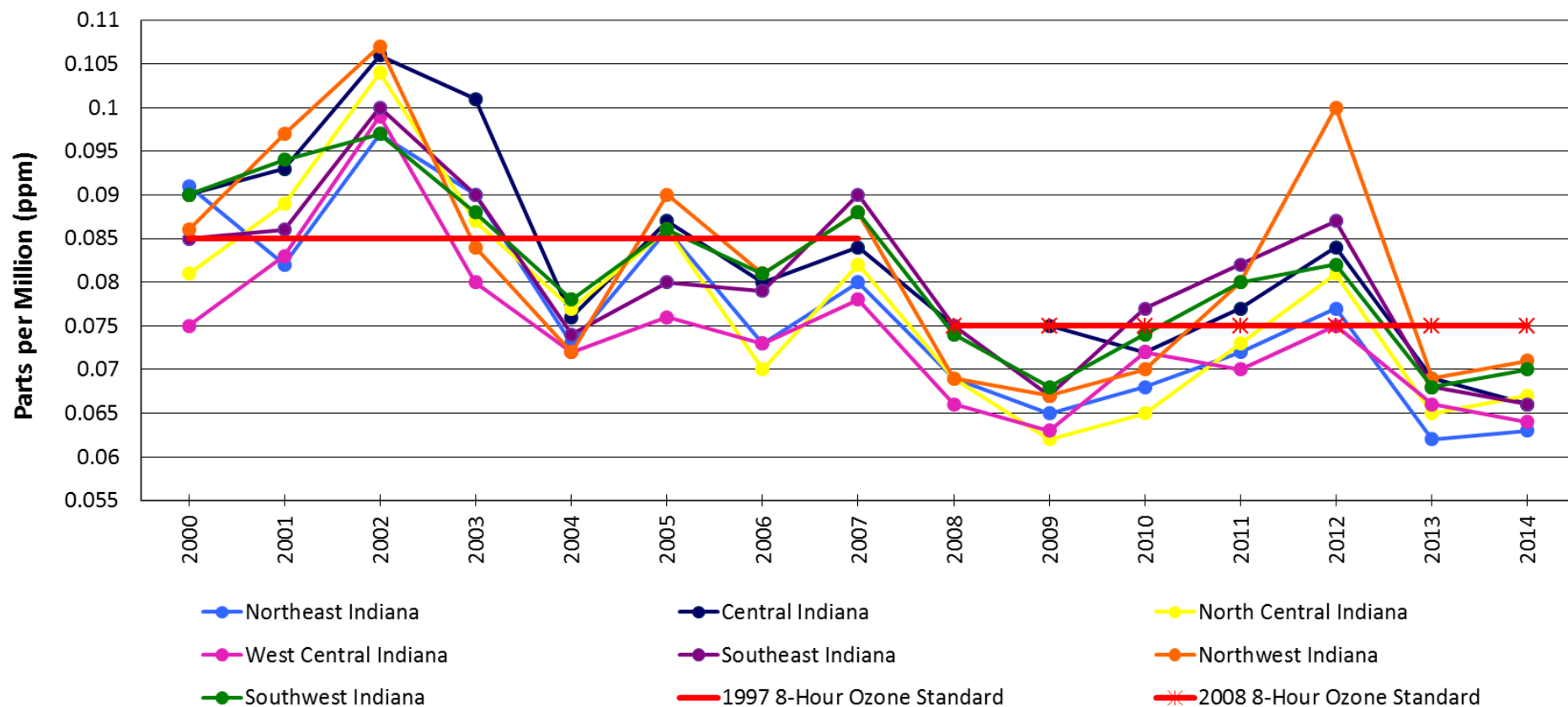
# People Breathing Various Air Quality Levels - Annual PM-2.5 - Indiana





# Ozone

Regional Ozone 4th High Values Trend Chart

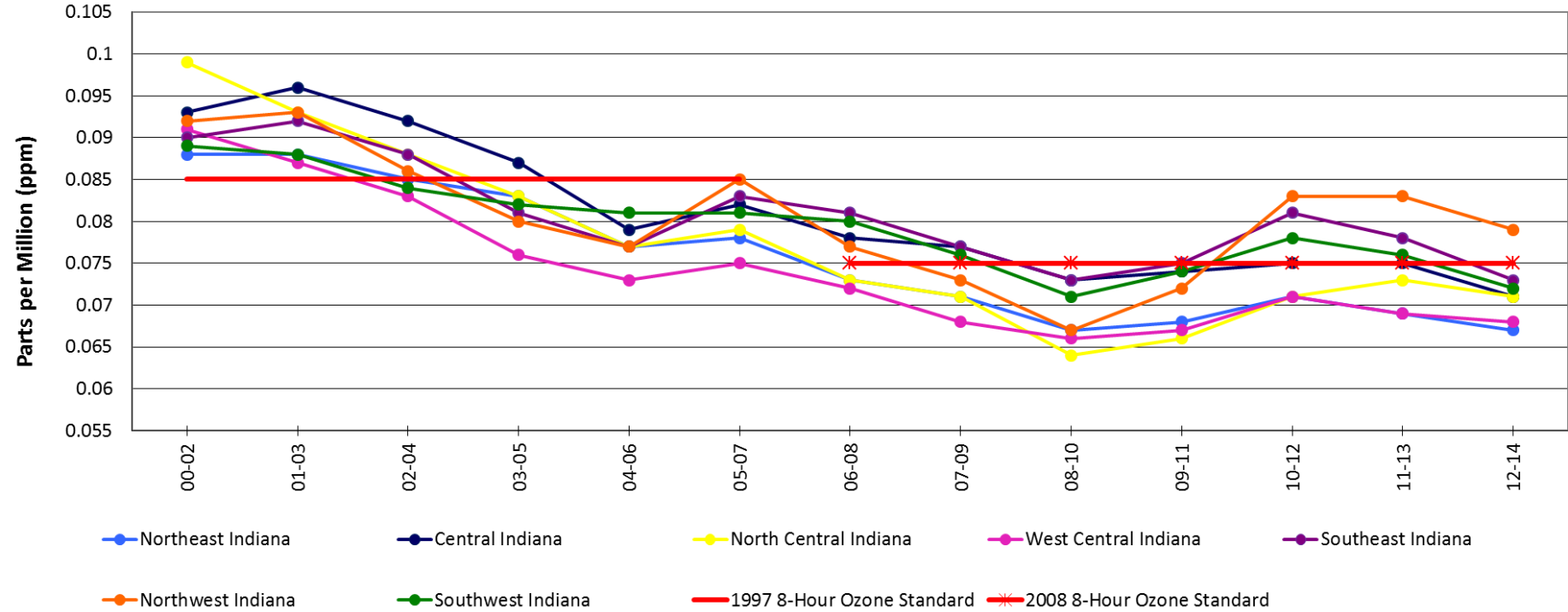






# Ozone

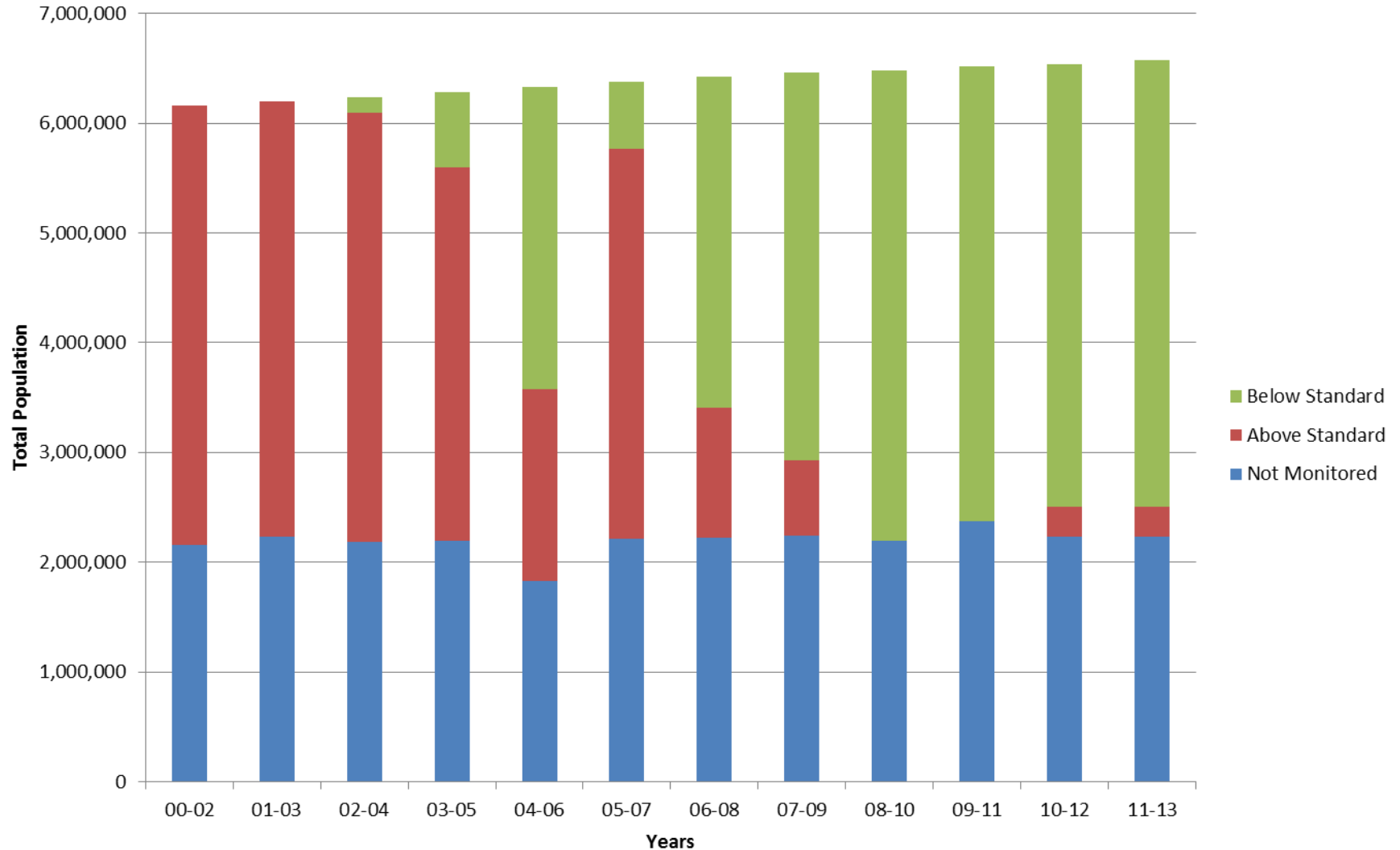
Regional Ozone Design Values Trend Chart







## People Breathing Various Air Quality Levels - 8 Hour Ozone - Indiana





# Performance Metrics September 2015

Result Targets Comments

## Quality of Hoosiers' Environment

% of Hoosiers that live in counties that meet <b>air quality standards</b>	91.00	100%	80%	Ozone in Clark, Floyd, Greene and LaPorte Counties; Muncie Lead; Sulfur Dioxide in parts of Daviess, Marion, Morgan, Pike and Vigo Counties.
% of <b>CSO Communities</b> with approved programs to prevent the release of untreated sewage	98.17%	100%	90%	98+9 (107) out of 99+10 (109). Not Gary and Hammond.
% of Hoosiers that receive water from facilities in full compliance with <b>safe drinking water standards</b>	97.57%	99%	95%	Due to the implementation of a new rule (Stage2 Disinfectant/Disinfection ByProducts Rule) on small systems, several purchase water systems and small surface water systems have exceeded the MCL for TTHM and HAA5.

## Permitting Efficiency

Total calendar days accumulated in issuing environmental permits, as determined by state statute\*

Land	26,613	32,134.25	35,914.75	37,805 statutory
Air	24,852	36,911.25	41,253.75	43,425 statutory
Water	34,392	63,240	70,680	74,400 statutory

\* Places emphasis on back logged permits

## Compliance

Total percentage of compliance observations from regulated customers within acceptable compliance standards\*

Inspections	97.08%	97%	75%
Self reporting	96.93%	99%	95%
Continuous monitoring (COM)	99.80%	99.9%	99%

\* Tracks observations and not just inspections



# Performance Metrics June 2005

## Quality of Hoosiers' Environment

% of Hoosiers in counties meeting air quality standards	61%	100%	80%	12 counties and 2,408,571 of 6,195,643 residents above standard
% of CSO Communities with approved programs to prevent the release of untreated sewage	4%	100%	20%	75% by 2007 is goal

## Permitting Efficiency Total calendar days accumulated in issuing environmental permits, as determined by state statute\*

Land	100,013	66,565	86,864
Air	511,000	207,000	385,000
Water	301,000	48,000	200,000

\* Places emphasis on back logged permits

## Compliance Total percentage of compliance observations from regulated customers within acceptable compliance standards\*

Inspections	95.46%	97%	75%
Self reporting	97.11%	99%	95%
Continuous monitoring (COM)	99.19%	99.90%	98.95%

\* Tracks observations and not just inspections

## Organizational Transformation Budgetary agency dollars spent on key outside contracts for core agency functions.

Dollars spent on outside services per year	\$6,179,367	\$0	\$3,447,017
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# 2015 Legislation

- HB 1350— IDEM's Omnibus Bill
  - Established the In Lieu Fee Program.
  - Lengthened the term of a variance from one year to up to five years.
  - Allowed information to be submitted electronically.
  - Allowed Waste Water Treatment Operator tests to be given by a third provider.
  - Aligned the due dates for Solid Waste disposal fees and reports.
  - Removed duplicative reporting from the E-Cycle program.
  - Changed Hazardous Waste Disposal Fee payments from quarterly to annually.



# 2015 Legislation

- SB 311—Recovery of remedial action oversight costs.
  - Clarifies that IDEM may seek reimbursement for oversight costs.
  - Allows IDEM to seek reimbursement for oversight costs related to petroleum removal and remediation.



# 2015 Legislation

- SB 312—Tank Reporting and Water Threat Minimization
  - Requires owners of Above Ground Storage Tanks (ASTs) within a critical area of concern to register their tank.
  - Requires Utilities that use surface water intakes to develop a threat minimization plan.
  - Requires IDEM to compile a list of agencies that currently regulate ASTs and reports that currently exist for ASTs.
  - Requires the Environmental Rules Board to develop rules to implement the reporting of tanks.
  - The bill exempts 23 types of ASTs from reporting.



# 2015 Legislation

- HB 1185—Synthetic Plastic Microbeads
  - Bans the manufacturing of products with microbeads by December 31, 2017, and sale of products with microbeads by December 31, 2019.
- SB 390—Lake County Solid Waste Management District
  - Gives the Lake County Executive oversight of specific Solid Waste Management District decisions.



# 2015 Legislation

- SB 473—Voluntary Monitoring of Water Resources
  - Establishes a program where volunteers may monitor their wells and provide that data to the Natural Resources Commission.
- SB 474—Analysis of Water Utility Planning and Needs
  - Requires the Indiana Finance Authority to prepare an analysis of the planning and long range needs of water utilities.





# 2016 Legislative Proposals

- Mercury Switch Program
  - Extends the life of the program.
- Antidegradation
  - Clarifies when antidegradation demonstrations are required.
- E-Waste
  - Changes the reporting deadline from fiscal to calendar year.



# 2016 Legislative Proposals

- Recycling Reporting Due Date
  - Changes IDEM's reporting deadline in order to align with the recyclers' reporting deadline.
- Voluntary Remediation Program (VRP)
  - Allows IDEM to remove participants from VRP if they fail to meet the agency's deadlines.
- Legitimate Use of Waste
  - Allows for the legitimate use of solid and hazardous waste.



# 2016 Legislative Proposals

- Variance
  - Allows the commissioner to revoke a variance.
- Land Application
  - Updates definitions to reflect the replacement of the term wastewater with septage.



# 2016 Legislative Proposals

- Legal Action
  - Removes citations to the administrative code that are no longer valid.
- Excess Liability Trust Fund
  - Clarifies eligibility requirements for fund access.



# Clean Power Plan

“I firmly believe that the EPA’s carbon dioxide regulation exceeds the authority granted to the EPA by Congress under the Clean Air Act, and I am pleased that our Attorney General is working with attorneys general from across the country to invalidate the regulation in court.

“Indiana is a manufacturing state and a coal state. Manufacturing requires low-cost electricity to help create jobs. The 28,000 Hoosiers employed directly or indirectly by Indiana’s coal industry can help provide that low-cost electricity from Indiana’s 300-year supply of coal. We have historically produced more than 80 percent of our electricity from coal, and Hoosiers know that coal means jobs and low-cost energy.

“The filing of today’s lawsuit is another step in fighting back against the Obama Administration’s war on coal.”

- Governor Pence, October 26, 2015



# New Ozone Standard

“Based on its review of the air quality criteria for ozone (O<sub>3</sub>) and related photochemical oxidants and national ambient air quality standards (NAAQS) for O<sub>3</sub>, the Environmental Protection Agency (EPA) is revising the primary and secondary NAAQS for O<sub>3</sub> to provide requisite protection of public health and welfare, respectively. The EPA is revising the levels of both standards to 0.070 parts per million (ppm), and retaining their indicators (O<sub>3</sub>), forms (fourth-highest daily maximum, averaged across three consecutive years) and averaging times (eight hours).”

<http://www3.epa.gov/ozonepollution/pdfs/20151001fr.pdf>

(October 1, 2015)



# Waters of the U.S.

“Accordingly, on due review of the relevant considerations in light of the briefs filed by petitioners, respondents and intervenors, and in the exercise of our discretion, we GRANT petitioners’ motion for stay. The Clean Water Rule is hereby STAYED, nationwide, pending further order of the court.”



# Questions?

**Carol S. Comer**  
Commissioner

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